

**MINUTES  
MEETING OF THE BOARD OF TRUSTEES  
CLIFTON TOWN MEETING  
AUGUST 4, 2008**

**MEETING CALLED TO ORDER:**

The regular meeting of the Board of Trustees of Clifton Town Meeting was called to order on August 4, 2008, at the Clifton Recreation Center, 320 McAlpin Avenue, Cincinnati, Ohio, at 7:04 pm, by President Linda Goldenhar.

**TRUSTEES PRESENT:**

The following Trustees were present for the meeting: Ron Becker, John Berten, George Bishop, Dick Druffel, Gary Eby, Mike Elovitz, Bill Fant, Linda Goldenhar, Al McLaughlin, Malcolm Montgomery, Mary Schubauer-Berigan, Jim Segers, and Steve Slack.

The presence of a quorum is duly noted.

**REVIEW OF MINUTES OF LAST MEETING**

A draft version of the minutes of the June, 2008, meeting had been previously circulated to the Board for review and comment. Upon motion made by Trustee Eby, seconded by President Goldenhar, the minutes of the June 2, 2008, meeting were unanimously approved.

**TREASURERS REPORT**

The Treasurer's report for June, 2008, had been previously circulated to the Board for review and comment. Trustee Fant answered questions raised by the Trustees concerning the report. Upon motion made by Trustee Schubauer-Berigan, seconded by President Goldenhar, the June, 2008, Treasurer's report was unanimously approved, with Trustee Fant abstaining.

**REGULAR REPORTS**

**Recreation Center Report**

Tom Reece, Director of the Clifton Recreation Center, reported on various activities of the recreation center. The Center will sponsor a Before School Program for students at the Fairview Clifton German Language School. The program is currently limited to 60 students. The Center is also sponsoring an after school program. There will also be a Drop In program available.

The Recreation Center's Fencing Club will be providing 100 hours of volunteer service in order to obtain a \$1,000.00 grant.

President Goldenhar thanked Mr. Reece for his report.

## Police Report

Cincinnati Police Detective Paul Meyer presented the police report. He was joined by Lt. Michael Fern. Detective Meyer announced that the report showing July, 2008, crime statistics for Clifton and nearby areas was not yet available for distribution.

Detective Meyer reported that theft from autos has been a big problem in Clifton. He noted that many other communities are experiencing a similar problem. Detective Meyer reported that recently District 5 has made a series of arrests in connection with thefts from autos and he hopes this will help alleviate the problem.

In response to a question from President Goldenhar regarding a graffiti incident on Wood Avenue, Detective Meyer stated that he had contacted the complainant and would follow up.

In response to a question from Trustee Schubauer-Berigan regarding a shooting incident outside the Corinthian Restaurant Detective Meyer reported that an arrest had been made. He noted that there have been problems in the past with the Corinthian. Detective Meyer will meet with a group of Ruther Avenue resident to further address these issues.

In response to a question from Trustee Segers Detective Meyer stated that there does not appear to be a connection between recent burglaries in North Avondale and similar break ins in Clifton. A suspect has been arrested in connection with the North Avondale burglaries, and the suspect denies involvement in the Clifton incidents.

President Goldenhar thanked Detective Meyer for his report.

## **RAWSON WOODS FENCE**

President Goldenhar reported that the new fence around the Rawson Woods preserve has been installed. Although it was originally believed that the fence would be 7 feet tall; it is only 5 feet tall.

## **NOMINATING COMMITTEE**

Trustee Schubauer-Berigan reported that 11 or 12 Trustee positions are either currently vacant or will become open by the next election (November, 2008, meeting).

The nominating committee has been in contact with 10 people to discuss running to fill the positions. Trustee Schubauer-Berigan stated that any CTM member interested in a Trustee position should contact her. Candidate bio's will be published in the Chronicle, and there is an August 12, 2008, publication deadline.

Betsy Black reminded the Trustees that due to the general election in November, 2008, that the Clifton Recreation Center will not be available for the November CTM meeting, since the Recreation Center is a polling place. President Goldenhar thanked Ms. Black for bringing up this point.

## **STREET SCAPES**

Trustee Segers reported that the Street Scape event will not occur in September. He held out the possibility that it might take place in November.

He cited several reasons for the delay, including loss of sponsorships; sidewalk work in connection with the Ludlow Revitalization project, and the lack of a director for the event.

President Goldenhar stated that due to the uncertainty of whether the event would be held this year, that NSP money allotted for Street Scapes was going to be moved to the Movie Night fund raising event.

## **MOVIE NIGHT EVENT**

Trustee Schubauer-Berigan reported that the Movie Night Event will be held on Sunday, September 7, 2008 at the Esquire Theater. The film Raiders of the Lost Ark: The Adaptation will be shown. There will also be a presentation by one of the film makers. There will be two showings, one at 2pm and another at 7pm. Tickets for the event will be \$20 for adults, with reduced price for kids under 16.

President Goldenhar reported that in connection with the event there will be a reception at the Ludlow Garage between 4:30pm and 6:30pm. The reception is included in the event ticket price. She reported that there will be 220 seats for each showing.

Trustee Fant stated that to use NSP funds (\$1,500) for this event, which funds were originally allotted to the Street Scapes event, it would require a vote of all members of the community in attendance at the meeting. Trustee Fant explained that the NSP funds would be used to defray transportation expenses for one of the film makers, which was a legitimate use of NSP funds.

Trustee Druffel spoke concerning the NSP issues. Trustee Montgomery also spoke to this issue.

A vote requesting transfer of \$1,500. from the Street Scapes event to the Movie Night event was taken of all community members present. 34 members approved the transfer, 3 members voted against, and one member abstained.

## **CLIFTON HOUSE TOUR**

Trustee Schubauer-Berigan reported on the Clifton House tour, which is scheduled to be held in May, 2009, on Mother's Day. She stated that she is discussing with two community members the possibility that they will co-chair the event.

Trustee Berten addressed his concern that Uptown Consortium is also sponsoring a house tour in June, 2009, and that this might negatively impact the Clifton House Tour. Trustee Elovitz stated that he shared Trustee Berten's concerns.

Trustee Druffel explained the concept behind the Uptown House tour, which is intended to be similar to the Downtown Tour of Living.

President Goldenhar stated that one possibility would be to have the Ludlow Business District participate in the Uptown Event to showcase the business district. She stated that all of this is up in the air at this time.

Trustee Berten expressed his concern that the "Uptown" branding is a threat to Clifton's identity.

### **CLIFTON CULTURAL ARTS CENTER (CCAC)**

Clifton Cultural Arts Center Executive Director Ruth Dickey made a presentation concerning the CCAC's inaugural exhibit "Floodwall". The exhibit will be in the main floor of the Old Clifton School Building from August 28, 2008, to September 14, 2008.

In connection with the exhibit, Ms. Dickey make a request for volunteers to help with cleaning up the property, installing the exhibit and acting as docents.

Ms. Dickey also requested a \$1,000 contribution from CTM for the purpose of defraying the costs of professional landscapers removing dead trees from the property. Ms. Dickey answered questions from the audience regarding the scope of the work and its necessity.

Trustee Schubauer-Berigan reviewed the CTM budget line items regarding beautification of the Fairview-Clifton German Language School, the Rec Center, and the CCAC, for which \$1,000 had been budgeted. Upon motion made by Trustee Schubauer-Berigan, which was seconded, it was moved that CTM provide a \$1,000 grant to the CCAC for the purposes outlined in Ms. Dickey's proposal. The motion passed unanimously.

### **FINANCIAL RESOLUTION**

Trustee Fant made a presentation regarding the necessity that CTM pass a resolution specifically giving check writing authority to the Treasurer, and such other officers as deemed necessary. After discussion, it was suggested that check writing authority be initially limited to the Treasurer and the President.

Upon motion made by President Goldenhar, and seconded, it was moved that the Treasurer and the President shall have check writing authority over the accounts held by Clifton Town Meeting. The motion passed unanimously.

### **LUDLOW REVITALIZATION REPORT**

Phil Herrick reported that work on the sidewalks portion of the Ludlow Revitalization Project was underway. Mr. Herrick explained the order in which the work will progress, with the contractor moving from one block to the next, but not until the work on the previous block has been finished.

Mr. Herrick also reported that the Clifton Community LLC had been added to the general contractor's liability insurance policy as an additional insured

Mr. Herrick stated that pursuant to the current contract with the City the contractor must have the work completed by October 24, 2008, or face penalties.

Mr. Herrick answered questions from community members regarding handicap access during construction and also about the removal of certain trees as part of the project.

Trustee Schubauer-Berigan asked if Duke Energy was coordinating its scheduled maintenance with the City, so that the new sidewalks would not be torn up by Duke shortly after they have been installed. Mr. Herrick stated that the City is aware of this issue and believes that the City is coordinating with Duke Energy.

Mr. Herrick stated that as a result of a grant request to CNBDU, Clifton is likely to be awarded an additional \$150,000 to be used in connection with the construction of a plaza on the former Bender Optical site.

President Goldenhar thanked Mr. Herrick for his report.

#### **CLIFTON COMMUNITY LLC/ PLAZA REPORT**

Trustee Druffel gave an update on events surrounding the Clifton Plaza since the June meeting.

Trustee Druffel explained that two key issues holding up the construction of the plaza were funding issues and the issue of site contamination.

Trustee Druffel explained that since the City would not prepare detailed plans for the plaza it was difficult to get a cost estimate for the construction. Clifton Town Meeting went to City Council member John Cranley seeking assistance. At the City Council Finance meeting held on August 4, 2008, it was determined that the City would make enough funds available to complete the plaza. Trustee Druffel stated that funding is no longer an issue.

Trustee Druffel stated that since the funding issue appears to be resolved, the remaining issue is working with the City staff on how the project will be completed. The City has concerns about the contamination issues on the site, despite an environmental report stating that a plaza could be built on the site.

The City Managers Office, in connection with the City Solicitor and risk management, are reviewing several options. One option is for the City to do the design work and construction under a "fee for service" arrangement. This is being looked into and City officials should be getting back to CTM in about 2 weeks.

The other option would be for the City to take the property back from the Clifton Community LLC and build the plaza. Trustee Druffel states that City staff does not want this option.

Trustee Druffel stated that all of the technical and legal aspects of building the plaza have not been worked out.

Trustee Schubauer-Berigan stated that the Clifton Plaza issue would be discussed at the City Council meeting on August 6, 2008, at Woodward Education Center. She encouraged Clifton residents to attend the City Council meeting to demonstrate support.

Trustee Berten asked about the issue of the tax reduction on the LLC property. Trustee Druffel stated that an application for a reduction based on the demolished building has been filed. He stated that an additional application for a reduction in the value of the real estate could not be filed until the next cycle.

Betsy Black asked if there was a design plan for the plaza. Trustee Druffel stated that presently there was not a design plan. Trustee Elovitz asked whether the funding obtained would be sufficient to construct the plaza. Trustee Druffel stated that he had been advised by several architects that the amount of funding was more than sufficient to build a plaza on the site.

Trustee Slack asked if there will be public input into the plaza design. Trustee Druffel stated that there probably would be community input; but that it may be fast tracked due to construction time constraints.

Trustee Druffel was asked if the Clifton Community LLC had asked the City to design the plaza and Trustee Druffel answered yes.

A discussion ensued among Trustees Druffel, Montgomery and Elovitz concerning the pros and cons of CTM contracting a firm to design the plaza, rather than having the City do the design work.

Community member Tim Bushnell volunteered to head a committee to set up a public meeting for input on design elements.

Trustee Elovitz discussed whether there should be a restrictive covenant placed on the plaza property limiting the use of the property to a public plaza. He noted that there had previously been such a restrictive covenant on the property but it had been released by the City in April, 2008. Trustee Elovitz stated that he was unsure what the legal effect and meaning was of releasing the restrictive covenant.

Trustee Elovitz stated that he felt the CTM LLC committee should obtain a professional opinion concerning the issue of the restrictive covenant on the property. In response to Trustee Slack's question whether Trustee Elovitz meant an opinion from an attorney, Trustee Elovitz stated yes, an opinion from an attorney. Trustee Montgomery stated that this opinion should be obtained "pro bono" and that no CTM funds should be expended for this purpose.

Upon motion made by Trustee Elovitz, and seconded, it was moved that the CTM LLC committee obtain a legal opinion from an attorney concerning the issue of a restrictive covenant on the property of the planned plaza site; but that no CTM funds be expended for this purpose. The motion passed, with 1 Trustee opposed, and 2 abstaining.

## **PROPORTIONAL REPRESENTATION**

Dan Zavon, a representative of the North Avondale Community Council gave a presentation in support of a petition drive to have city council elections held under proportional representation form of voting. Mr. Zavon stated that he is circulating a petition to have this issue placed on the November ballot.

There was a brief discussion of the issue, in which some Clifton residents were in favor and some opposed.

President Goldenhar thanked Mr. Zavon for this presentation.

## **McALPIN AVENUE BUS STOP**

Clifton resident Pete Kambelos made a presentation in opposition to restoring a bus stop on McAlpin Avenue near the Clifton Recreation Center. Mr. Kambelos also expressed his disappointment that CTM used its list serve to forward a message to CTM members from the Clifton Cultural Arts Center in support of restoring the bus stop.

Trustee Eby responded to Mr. Kambelos regarding why CTM sent the message on the list serve, and his opinion that CTM was merely disseminating information to the community regarding the issue. The SORTA survey link, which was included in the CTM list serve message was content neutral. Residents could use the survey to express either their support or their opposition to a bus stop at the McAlpin site. Additionally, the survey covered a wide range of public transportation issues and was not limited to the McAlpin bus stop issue.

## **ANNOUNCEMENTS**

- The next meeting will be held on September 8, 2008, at the Clifton Recreation Center, at 7:00 pm. The meeting originally scheduled for September 1, 2008, is being moved because September 1<sup>st</sup> is Labor Day.
- Elections for CTM Trustee positions will be held at the November 3, 2008, meeting. That meeting will be held at the Annunciation Parish Meeting Center on Resor Ave, due to the unavailability of the Clifton Recreation Center.

There being no further business before the Board, upon motion made by President Goldenhar, seconded by Trustee Eby, the meeting was adjourned upon unanimous consent at 9:14 pm.

Respectfully submitted: Gary Eby, Secretary